



California State Board of Pharmacy

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STATE AND CONSUMER SERVICES AGENCY

DEPARTMENT OF CONSUMER AFFAIRS

GOVERNOR EDMUND G. BROWN JR.

Communication and Public Education Committee Report

Ryan Brooks, Chair, Public Member
Shirley Wheat, Board Member
Ramon Castellblanch, PhD, Board Member
Debbie Veale, RPh, Board Member
Roselyn Hackworth, Board Member

Report of the Meeting Held August 29, 2012 – Minutes follow this memorandum

a. FOR INFORMATION: Update on New Notice for Consumers Posters

Since the beginning of 2012, the Communication and Public Education Committee has been working on production of a new *Notice to Consumers* poster.

After multiple design modifications, the final poster was presented at the August committee meeting. The poster prominently displays the text “California law requires a pharmacist to speak with you every time you get a new prescription.”

The new poster incorporates suggestions made at the July 18 Board Meeting to add numbering to attract the reader’s attention, as well as a larger logo and state seal. The poster will also be translated into additional languages and made available to any pharmacies that request a translated poster.

The poster is a standard poster size of 18” x 24” and board staff is working with the Office of State Printing to print and mail the posters. The cost for printing and mailing the posters is currently being estimated.

The new design will be previewed to the board at the October meeting.

The text which must be printed on the poster is pursuant to 16 California Code of Regulations section 1707.6 is:

(b) The notice shall contain the following text:

NOTICE TO CONSUMERS

California law requires a pharmacist to speak with you every time you get a new prescription.

You have the right to ask for and receive from any pharmacy prescription drug labels in 12-point font.

Interpreter services are available to you upon request at no cost.

Before taking your medicine, be sure you know: the name of the medicine and what it does; how and when to take it, for how long, and what to do if you miss a dose; possible side effects and what you should do if they occur; whether the new medicine will work safely with other medicines or supplements; and what foods, drinks, or activities should be avoided while taking the medicine. Ask the pharmacist if you have any questions.

This pharmacy must provide any medicine or device legally prescribed for you, unless it is not covered by your insurance; you are unable to pay the cost of a copayment; or the pharmacist determines doing so would be against the law or potentially harmful to health. If a medicine or device is not immediately available, the pharmacy will work with you to help you get your medicine or device in a timely manner.

You may ask this pharmacy for information on drug pricing and use of generic drugs.

b. FOR INFORMATION: Video Display Template for the Notice for Consumers

Board staff presented the final *Notice to Consumers* in video display format. The new format now incorporates design elements from the *Notice to Consumers* poster and reflects a greater diversity in the actors, as recommended at the July Board meeting.

The video display will be available on CD for pharmacies that request it.

The requirements for this format are:

§ 1707.6. Notice to Consumers.

(a) In every pharmacy there shall be prominently posted, in a place conspicuous to and readable by a prescription drug consumer, a notice containing the text in subdivision (b). Each pharmacy shall use the standardized poster-Sized notice provided or made available by the board, unless the pharmacy has received prior approval of another format or display methodology from the board. The board may delegate authority to a committee or to the Executive Officer to give the approval. As an alternative to

a printed notice, the pharmacy may also or instead display the notice on a video screen located in a place conspicuous to and readable by prescription drug consumers, so long as:

- (1) The video screen is at least 24 inches, measured diagonally;
- (2) The pharmacy utilizes the video image notice provided by the board;
- (3) The text of the notice remains on the screen for a minimum of 60 seconds; and
- (4) No more than five minutes elapses between displays of any notice on the screen, as measured between the time that a one-screen notice or the final screen of a multi-screen notice ceases to display and the time that the first or only page of that notice re-displays.

The pharmacy may seek approval of another format or display methodology from the board. The board may delegate authority to a committee or to the Executive Officer to give the approval.

c. FOR INFORMATION: Notice of Interpreter Availability

The notice of interpreter availability poster has been finalized. The Department of Consumer Affairs' graphics staff is slightly modifying it, but it is also ready for distribution. The poster will be available for download from the Board of Pharmacy website, as it will print on an 8.5 x 11 inch page.

The relevant section of this new notice is:

1707.6 (c) Every pharmacy, in a place conspicuous to and readable by a prescription drug consumer, at or adjacent to each counter in the pharmacy where dangerous drugs are dispensed or furnished, shall post or provide a notice containing the following text:

Point to your language. Interpreter services will be provided to you upon request at no cost.

This text shall be repeated in at least the following languages: Arabic. Armenian. Cambodian. Cantonese. Farsi. Hmong. Korean. Mandarin. Russian. Spanish. Tagalog, and Vietnamese.

Each pharmacy shall use the standardized notice provided or made available by the board, unless the pharmacy has received prior approval of another format or display methodology from the board. The board may delegate authority to a committee or to the Executive Officer to give the approval.

The pharmacy may post this notice in paper form or on a video screen if the posted notice or video screen is positioned so that a consumer can easily point to and touch the statement identifying the language in which he or she requests assistance. Otherwise, the notice shall be made available on a flyer or handout clearly visible from and kept within easy reach of each counter in the pharmacy where dangerous drugs are dispensed or furnished. Available at all hours that the pharmacy is open. The flyer or handout shall be at least 8 1/2 inches by 11 inches.

d. FOR INFORMATION: Update on Patient-Centered Prescription Drug Container Labels and Review of Labels in Use

Since January 1, 2012, board inspectors have been directed to pick up sample prescription container labels from every pharmacy they enter. The goal is to secure copies of actual labels in use and compare these with the board's regulation requirements to see if

additional changes in the requirements may be needed. The best labels will be identified and placed on the board's website.

The consumer survey soliciting feedback regarding the readability of prescription drug container labels has been widely distributed. An electronic version of the survey was recently sent to several consumer groups, who in turn distributed the survey to their ListServe contacts. The survey was also translated into Chinese and Spanish and distributed by The California Pan Ethnic Health Network (CPEHN) to the appropriate audiences. We have received only 49 electronic surveys, and 20 hard copy surveys. We hope to receive more.

e. FOR INFORMATION: Update on *The Script*

The next issue of *The Script* is currently in production. The issue will focus on application of laws and the forthcoming e-Pedigree requirements. The newsletter also lists the multiple disciplinary decisions made by the Board since the beginning of 2012. The newsletter should be available for release soon.

During the Communication and Public Education Committee Meeting, Ms. Herold recognized the efforts of Hope Tamraz, who has been *The Script* newsletter editor since the early 1990s. Ms. Tamraz ended her tenure with the board at the end of August and Jan Jamison, the board's public information officer, will be assuming the editor role.

The next issue of *The Script* is scheduled to be published in January 2013 and will emphasize California's new pharmacy laws.

f. FOR INFORMATION: Public Outreach Activities Conducted by the Board

State government continues to be subject to a travel freeze that restricts all but the most essential travel. The Department of Consumer Affairs must still preapprove all travel where a travel claim will be submitted. This has restricted board operations in all areas, including public and licensee outreach.

Public and licensee outreach activities performed during the second quarter of fiscal year 2012 include:

- May 11 – Executive Officer Herold provides the commencement address to USC's 2012 graduating class of the School of Pharmacy
- May 17 – Executive Officer Herold provides a webinar on California's e-pedigree requirements hosted by RfXcel
- June 19 -- Executive Officer Herold provides a webinar on California's e-pedigree requirements hosted by Axway

- June 20 – Inspector White provides a CE presentation on the board’s enforcement program to pharmacists in Pasadena
- July 10 – Executive Officer Herold provides a webinar on California’s e-pedigree requirements hosted by Mettler
- July 15 – Executive Officer Herold provides a webinar on California’s e-pedigree requirements and problems identified by the board in the supply chain, hosted by the University of Florida
- July 18 – Supervising Inspector Hunt provides a presentation to the Diablo Society of Health System Pharmacists and the Contra Costa Pharmacists Association on “New Pharmacy Laws for 2012”
- July 18 – Inspector Kazebee provides a presentation on “Surviving as the Pharmacist-in-Charge” at a CE session for 39 pharmacists in Orange County
- July 25 – Executive Officer Herold testifies before a federal congressional committee on board enforcement activities regarding pharmacies and wholesalers manipulating drug shortages for profit
- July 27 - Supervising Inspector Hunt delivered a presentation on consumer awareness at Assemblymember Mary Hayashi’s 3rd Annual Senior Health Fair in Hayward. Dr. Hunt also collected consumer surveys soliciting feedback regarding the new Patient-Centered Labels.
- August 13 and 22 – Public Information Officer Jamison staffs a booth at two Senior Scam Stopper seminars hosted by the State Contractors’ Licensing Board. Both seminars were very well attended and Ms. Jamison collected a number of consumer surveys on the new patient-centered labels.

g. FOR INFORMATION: First Quarterly Report of the Committee’s Goals for 2012/2013

The first quarterly update on the committee’s goals for 2012/2012 is under development and will be brought to the next Communication and Public Education Committee Meeting.



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GOVERNOR EDMUND G. BROWN JR.

**STATE BOARD OF PHARMACY
DEPARTMENT OF CONSUMER AFFAIRS
COMMUNICATION AND PUBLIC EDUCATION COMMITTEE MEETING
MINUTES**

DATE: August 29, 2012

LOCATION: Department of Consumer Affairs
First Floor Hearing Room
1625 N. Market Boulevard
Sacramento, CA 95834

COMMITTEE MEMBERS

PRESENT: Ryan Brooks, Public Member, Chair
Deborah Veale, RPh
Albert Wong, RPh
Stan Weisser, RPh, Board President

STAFF

PRESENT: Virginia Herold, Executive Officer
Anne Sodergren, Assistant Executive Officer
Carolyn Klein, Legislation and Regulation Manager
Jan Jamison, Public Information Officer

Call to Order

Committee chair Ryan Brooks called the meeting to order at 9:49 a.m.

Mr. Brooks conducted a roll call. Board Member Deborah Veale was present. Board President Stan Weisser was in attendance in the audience and appointed himself to serve on the committee for purposes of establishing a quorum.

1. Discussion and Possible Action to Finalize the Design of the New Notice to Consumers Posters (as Required by 16 California Code of Regulations Section 1707.6)

Discussion

After brief discussion, the committee reviewed the final poster design. The poster incorporates suggestions to add numbering to the questions to attract the reader's attention, as well as a new and larger logo block and state seal.

The posters will be a standard poster size of 18" x 24." We will print 15,000 posters in the first batch, which will be mailed to all California pharmacies. The cost for printing and mailing the posters is currently being estimated.

Public Comment

Cary Sanders, representing the California Pan Ethnic Health Network (CPEHN), asked if the English-language poster would be translated into other languages and what the procedure would be for ordering the foreign-language posters.

Executive Officer Virginia Herold explained that the foreign-language posters will be available in the following languages: Vietnamese, Chinese, Tagalog, Spanish, Russian and Korean. The Board will supply a full-color, full-sized poster in English to all California pharmacies. The foreign-language posters will be made available for download in a legal-sized format from the Board of Pharmacy website.

Motion: Accept the new poster design and instruct staff to take the necessary steps to get the poster printed and distributed to pharmacies.

M / S: Veale / Brooks

Support: 3 Oppose: 0 Abstain: 0

(Mr. Wong was not in attendance.)

2. Discussion and Possible Action to Finalize the Video Display Format Option for Notice to Consumers (as Required by 16 California Code of Regulations Section 1707.6)

Board staff presented the redesigned *Notice to Consumers* video display format. The new format now incorporates design elements from the *Notice to Consumers* poster and reflects a greater diversity in the actors, as recommended at the July Board meeting.

Public Comment

Steve Gray, representing Kaiser Permanente, asked about the timing of each slide on the video display.

The video is timed as required by 16 California Code of Regulations Section 1707.6:

- The text of the notice remains on the screen for a minimum of 60 seconds; and
- No more than five minutes elapses between displays of any notice on the screen, as measured between the time that a one-screen notice or the final screen of a multi-screen notice ceases to display and the time that the first or only page of that notice re-displays.

Ms. Sanders asked about foreign language translations of the video and the cost involved. Ms. Herold provided that the cost is relatively inexpensive and that the Board would translate the video to a foreign language when one is requested.

There was also discussion about the way the individual slides were ordered in the video. Mr. Brooks explained that the slides would be presented on a loop, so the ordering of the slides wouldn't make a difference.

Committee Member Albert Wong arrived at the meeting at 10:05 a.m.

Motion: Adopt the video display format of the Notice to Consumers poster.

M / S: Veale / Weisser

Support: 4 Oppose: 0 Abstain: 0

3. Discussion and Possible Action to Finalize the Format for Notice of Interpreter Availability (as Required by 16 California Code of Regulations Section 1707.6)

Discussion

Discussion took place regarding the languages highlighted on the Notice of Interpreter Availability poster. Ms. Veale provided that the poster reflects the languages specified in the regulations.

Motion: Adopt the Notice of Interpreter Availability poster as reviewed

M / S Weisser / Veale

Support: 4 Oppose: 0 Abstain: 0

4. Discussion and Possible Action to Secure Consumer Comments on the Board's Regulation Requirements for Patient-Centered Labels and Translations for Limited English Speaking Individuals in Preparation for the January 2013 Report to the Legislature.

Ms. Herold presented the consumer survey currently being used by the Board to solicit feedback regarding the new patient-centered labels.

She explained that she worked with Michael Negrete of the California Pharmacists Association to refine the questions for the survey. The survey will be sent to several different audiences, distributed by willing pharmacies and distributed at consumer outreach events. Efforts will be made to work with CPEHN to gain the comments of non-English speaking individuals.

The results of the survey will be compiled and presented in the Board's Report to the Legislature due by January 2013.

5. Update on the Board's Public Education Materials

Summary

Mr. Brooks summarized the efforts of Board staff as reflected in the meeting materials. An update of existing public education materials is in the works, as well as identifying new materials needed to address current and relevant pharmaceutical issues. A new branding campaign is also in the works for the Board's public education materials and website.

Two national events are planned in coming months that will provide an opportunity for public relations and consumer outreach activities. Wake up to Medicine Abuse Week is a week-long collaboration sponsored by the Partnership at Drugfree.org and Cardinal Health, scheduled for September 23-29. American Pharmacists Month is scheduled for the month of October.

6. Update on *The Script*

Summary

The September/September 2012 issue of *The Script* is currently undergoing legal review. The issue will focus on application of laws and the forthcoming e-Pedigree requirements. The newsletter also lists the multiple disciplinary decisions made by the Board since the beginning of 2012. The newsletter should be available for release in September.

Ms. Herold recognized the efforts of Hope Tamraz, who has been *The Script* newsletter editor for the past ten years. Ms. Tamraz will be retiring at the end of August and Jan Jamison, the Board's Public Information Officer, will be assuming the editor role.

Mr. Brooks suggested that Ms. Tamraz be invited to the next Board meeting so she could be recognized for her efforts.

The next issue of *The Script* is scheduled to be published in January 2013 and will emphasize California's new pharmacy laws.

7. Public Outreach Activities Conducted by the Board

Chair Brooks directed committee members to review the meeting materials pertaining to recent public outreach activities. He noted that the Board has been very selective in their choices because the current travel freeze restricts all but the most essential travel. This has restricted board operations in all areas, including public and licensee outreach.

8. Public Comment for Items Not on the Agenda

Ms. Herold introduced June Vargas, manager for the Department of Consumer Affairs Office of Publications, Design and Editing. Ms. Vargas is leading the creative team that is working on the Board's new branding campaign.

Ms. Vargas presented examples of how the Board's public outreach materials and website will be unified with a consistent design look and feel.

Adjournment of Meeting

The meeting was adjourned at 10:34 a.m.